

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: Adrian Eric Hales and :
Theresa Marie Hales, :
Debtors : Chapter 13

EXETER FINANCE CORP.,
Movant

Vs.

ADRIAN ERIC HALES
And THERESA MARIE HALES,
Respondent
And
CHARLES J. DEHART, III
Trustee

: Case No.: 4-16-bk-00419

:

ANSWER TO MOTION FOR RELIEF FROM AUTOMATIC STAY

AND NOW comes Defendants through their attorney, Elliott B Weiss, Esquire, and files this Answer as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted in part. Denied in part. IT IS ADMITTED that the average monthly payment is \$759.34. It is specifically denied that the payoff amount is \$30,260.38. The Movant has failed to give the responsible credit for all the payments made by the Respondent. Therefore, the payoff amount is overstated. The Respondent lacks sufficient information to form a belief as to the other allegations contained in paragraph 5 of the Motion and therefore denies the same and demands strict proof at trial.
6. Admitted.

7. Denied. The Movant has failed to give the Respondent credit for two (2) payments. Therefore, the amount of the missed payments are overstated as well as late charges, interest, attorney fees and costs.
8. Denied. Respondents lack sufficient information to form a belief as to the allegations contained in paragraph 8 and therefore, denies the same and demands strict proof of at trial.
9. Denied. Respondents are unable to determine the Movants state of mind and therefore, denies the same and demands strict proof at trial.
10. Denied. The vehicle is used by the Respondent/debtor to get to work and is therefore necessary to generate income to fulfill the Chapter 13 Plan.
11. Admitted.
12. No answer is necessary.
13. Denied.
14. Denied. Respondent lacks sufficient information to form a belief as to the truth of the allegations contained in paragraph 14 and therefore, denies the same and demands strict proof at trial.

WHEREFORE, Respondents pray that your Honorable Court enters and Order denying movants request for Relief from Automatic Stay.



Elliott B. Weiss, Esquire
416 Pine Street – Suite 203
Williamsport, PA 17701

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ORDER

Upon consideration of the above, the Motion for Relief from Automatic Stay is hereby denied by this Court.

Dated _____, 2016

U.S. BANKRUPTCY JUDGE

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CERTIFICATE OF SERVICE

I, Tasha T Carriere, certify that I am more than eighteen (18) years of age and that on the
27th day of December, 2016, I served a copy of the Answer to the Motion for Relief of
Automatic Stay upon the parties in this matter.

Date: 12/27/2016

/s/ Tasha T. Carriere

Tasha T. Carriere
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